

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JANE ROCIO EVANS,

Plaintiff(s),

v.

WALDEN HOUSE, INC.,

Defendant(s).

No. C 08-0894 PJH

ORDER RE AMENDED COMPLAINT

By order dated filed May 9, 2008, the court dismissed plaintiff's complaint for failure to establish federal subject matter jurisdiction. The dismissal was with leave to amend. Plaintiff was given instructions on the deficiencies in her complaint and was permitted to file an amended complaint curing those deficiencies by May 30, 2008. Instead of filing an amended complaint, plaintiff filed on May 29, 2008, a request to vacate judgment to dismiss complaint and on June 2, 2008, a request to vacate order to dismiss complaint. Both requests contain a narrative of certain factual matters and numerous unidentified documents are attached to each. Plaintiff appears to argue in both documents why her complaint should not have been dismissed, but she still does not clearly state what her claims are so that the court might complete the review required by 28 U.S.C. § 1915.

Accordingly, plaintiff's requests are both DENIED. However, plaintiff will be afforded one more opportunity to file an amended complaint. The document must contain the heading "Amended Complaint" or "First Amended Complaint," and must clearly set forth the acts committed by defendant that she is suing for, the dates these acts are alleged to have been committed, and the legal basis for this court's federal subject matter jurisdiction, as explained in this court's prior order. The amended complaint must be filed by July 10,

2008, or this matter will be dismissed.

IT IS SO ORDERED.

Dated: June 17, 2008



PHYLLIS J. HAMILTON
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JANE R EVANS,

Plaintiff,

v.

WALDEN HOUSE INC.,

Defendant.

Case Number: CV08-00894 PJH

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 17, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jane Rocio Evans
PO Box 424886
San Francisco, CA 94142

Dated: June 17, 2008



Richard W. Wieking, Clerk
By: Nichole Heuerman, Deputy Clerk